

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

7316 NE 16TH AVE., #9, VANCOUVER,  
WASHINGTON, CLARK COUNTY  
PARCEL #098495-046, ITS BUILDINGS,  
IMPROVEMENTS, APPURTENANCES,  
FIXTURES, ATTACHMENTS AND  
EASEMENTS, PROPERTY OWNER:  
MARK & ALISON HALLENBECK  
PROPERTY BUYER: ROBIE TERRELL  
CARTER,

Defendant.

NO. C08-5325RBL

JUDGMENT OF FORFEITURE

Plaintiff, United States of America, filed its Verified Complaint for Forfeiture in rem on May 22, 2008, pursuant to Title 21, United States Code, Sections 881(a)(6) and 881(a)(7), alleging that the defendant real property was traceable to proceeds of possession with intent to distribute cocaine, or which was used or intended to be used, in any manner or party to commit, or to facilitate the commission of the offense of possession of cocaine with the intent to distribute in violation of Title 21, United States

1 Code, Sections 841(a)(1) and 841(b)(1)(B). Notice of the forfeiture action was published  
2 in the Daily Journal of Commerce on June 23, 2008, June 30, 2008, and July 7, 2008. All  
3 interested persons were advised to file their claims pursuant to Supplemental Rule C(6) of  
4 the Federal Rules of Civil Procedure with the Clerk of the Court within thirty (30) days  
5 after the date of the publication and to serve their Answers to the Complaint within  
6 twenty (20) days after the filing of their claim.

7 On June 17, 2008, Plaintiff served a copy of the Verified Complaint for Forfeiture  
8 In Rem, Notice of Complaint for Forfeiture In Rem and Lis Pendens on Robie Terrell  
9 Carter, through his attorney, Russell Leonard.

10 On August 7, 2008, Claimants Mark and Alison Hallenbeck filed an Answer to  
11 Plaintiff's Complaint for Forfeiture In Rem. Claimants are the legal owners of the real  
12 property, and the sellers under a Residential Real Estate Contract recorded as Auditor's  
13 File No. 3624679 for Clark County, Washington.

14 On September 12, 2008, Plaintiff filed an Application for Entry of Order of default  
15 against Robie Terrell Carter.

16 On September 17, 2008, this Court entered an Order granting Plaintiff's  
17 Application for Default against Robie Terrell Carter.

18 On March 10, 2009, Plaintiff filed an Amended Expedited Settlement Agreement.  
19 Pursuant to that agreement, upon entry of Judgment, Plaintiff, the United States of  
20 America, agrees to pay Claimants, Mark and Alison Hallenbeck, the principal amount of  
21 fifty-thousand five-hundred thirty-three dollars and ninety-one cents (\$50,533.91) plus  
22 costs and fees in full settlement and satisfaction of any and all claims by Mark and Alison  
23 Hallenbeck to the defendant real property that is the subject of this lawsuit filed by the  
24 United States on or about May 22, 2008, and all claims resulting from the incidents or  
25 circumstances giving rise to this lawsuit.

26 Now, therefore, on Motion of the Plaintiff, the United States of America, for a  
27 Judgment of Forfeiture, it is hereby

28 //

1 ORDERED, ADJUDGED and DECREED as follows:

2 1. This Court has jurisdiction over this action under Title 28,  
3 United States Code, Sections 1345 and 1355, and has venue pursuant to Title 28,  
4 United States Code, Section 1395 and Title 21, United States Code, Section 881(j).

5 2. The defendant real property located at 7316 NE 16th Avenue, #9,  
6 Vancouver, Washington, Clark County Parcel #098495-046, its buildings, improvements,  
7 appurtenances, fixtures, attachments and easements (sometimes hereinafter referred to as  
8 "defendant real property") is forfeited in full to the United States of America, pursuant to  
9 Title 21, United States Code, Sections 881(a)(6) and 881(a)(7), as property involved in  
10 the violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(B), and no  
11 right, title or interest in the defendant real property shall exist in any other party.

12 3. Pursuant to the Amended Expedited Settlement Agreement, the United  
13 States is to pay Claimants Mark and Alison Hallenbeck, the principal amount of fifty-  
14 thousand five-hundred thirty-three dollars and ninety-one cents (\$50,533.91) plus costs  
15 and fees, as set forth in detail in the Amended Expedited Settlement Agreement.

16 4. The United States Marshals Service, shall dispose of the defendant real  
17 property in accordance with law.

18 5. The Clerk of the Court shall deliver three (3) "raised seal," certified copies  
19 of the Judgment of Forfeiture to the United States Marshals Service in Seattle,  
20 Washington.

21 DATED this 8<sup>th</sup> day of April, 2009.

22  
23   
24 RONALD B. LEIGHTON  
25 UNITED STATES DISTRICT JUDGE  
26  
27  
28

1 Presented by:

2 s/Richard E. Cohen

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